

Office Action that these references suggest Applicant's invention. Applicant's claims and invention are characterized in the Office Action as that being directed to compositions comprising (1) thermoplastic material, (2) at least 15% adsorbent, and (3) at least 2% wax. Applicant, however, respectfully requests reconsideration and withdrawal of this rejection.

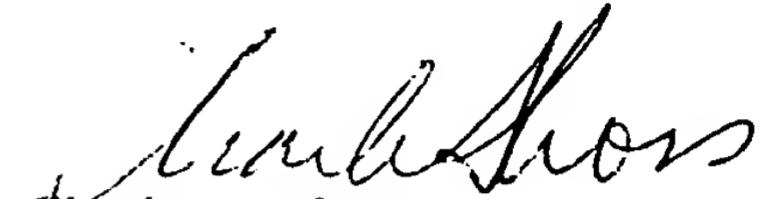
It is submitted that in making the rejection over the above three references, an aspect of Applicant's claimed invention is being ignored. In particular, Applicant's claims recite that its invention is an "adsorbent" composition and that the composition is capable of adsorbing water to an extent sufficient for desiccating void spaces of insulated glass units. The Examiner has not pointed to any teaching in the above three patents that suggest the finished materials described therein are adsorbents or that they would be capable of adsorbing water to an extent sufficient to desiccating the enclosed space of said glass units. The Examiner has indicated that the references disclose particulated materials, including silica gels, as meeting the adsorbent recitation in Applicant's claims. However, it is respectfully submitted that not all silica gels are adsorbents. More specifically, it is not seen how Sakai's pressure sensitive adhesive would suggest a composition which has the overall ability to meet the above-mentioned adsorbent property. It is also submitted that it is not seen how Gust's transparency compositions would suggest a material that has the overall property of desiccating insulated glass units. Finally, it is not seen how Kolaitis' particulated foam control agents would suggest such materials. Indeed, Applicant's invention is designed to adsorb water and/or vapor from a void space, and it is not seen how the applications described in the above (transparencies, references foam control agents and adhesives) suggest such a material. It is respectfully submitted that it appears the Examiner has only concentrated on the per se chemical components of Applicant's invention and then through hindsight analysis recited inapplicable materials to establish the above-mentioned §103 rejection. Such an analysis ignores the adsorbent and adsorbent properties expressly recited in the claims. It is submitted that such an analysis is impermissible under §103.

It is also submitted that neither one of the above three references suggest incorporating an adsorbent composition into insulating glass units, i.e., Applicant's invention as recited in claim 14. Therefore, even assuming the

materials described in these references are adsorbents, none are mentioned as being suitable for use in window structures. It is submitted that the rejection of claims 14-16, 18, and 20-26 is clearly in error.

Accordingly, Applicant submits that the claims are in condition for allowance and respectfully request notification to that effect in the form of a Notice of Allowance.

Respectfully submitted,



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